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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 1 2012	
By _____	Clerk _____
_____	Deputy Clerk _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 27-11946
	)	(Wernette)
_____	)	

On March 22, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2012.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

In Re SRBA)
)
Case No. 39576)
)

Water Right 27-11946

NAME AND ADDRESS: FLORIAN WERNETTE
OPAL WERNETTE
494 N 600 E
FIRTH, ID 83236

SOURCE: SAND CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 1.88 CFS

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T02S R36E S12 SWNE Within Bingham County

By _____

PLACE OF USE:	Irrigation		Within Bingham County
	T02S R36E S12	NENE 9.4	SWNE 22.0
		SENE 39.0	NESE 23.0
		SESE 0.5	
	93.9 Acres Total		

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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2012 MAY 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 27-11946

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 27-11946 was mailed
on May 01, 2012, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

COMMITTEE OF NINE
Represented by:
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TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

FLORIAN WERNETTE
OPAL WERNETTE
Represented by:
JERRY R. RIGBY
25 N 2ND E
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Phone: 208-356-3633

COMMITTEE OF NINE

Represented by:

RAY W. RIGBY

25 N 2ND E

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REXBURG, ID 83440-0250

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JULIE MURPHY

Chief Deputy Clerk